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LAW OFFICE  
THOMAS F. MCFARLAND, PC.  
208 SOUTH LASALLE STREET - SUITE 1890  
CHICAGO, ILLINOIS 60604-1112  
TELEPHONE (312) 236-0204  
FAX (312) 201-9695  
mcfarland@aol.com

THOMAS F. MCFARLAND

October 8, 2009

By e-filing

Anne K. Quinlan, Esq.  
Acting Secretary  
Surface Transportation Board  
395 E Street, S.W., Suite 100  
Washington, DC 20024

Re: Docket No. AB-1041X, *Dakota Northern Railroad, Inc. --Abandonment  
Exemption -- in Walsh and Pembina Counties, ND*

Dear Ms. Quinlan:

On October 5, 2009, Dakota Northern Railroad, Inc. filed a Petition for Exemption from 49 U.S.C. 10903 in the above referenced matter.

Attached is a corrected Draft Federal Register Notice attached as Appendix 4 to the Petition for Exemption. The corrected Appendix identifies zip codes and rail stations affected by the abandonment exemption.

Very truly yours,

*Tom McFarland*

Thomas F. McFarland  
Attorney for Dakota Northern  
Railroad, Inc.

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cc: All parties of record  
George LaPray, by e-mail to mnn@rrv.net

**DRAFT FEDERAL REGISTER NOTICE PER 49 C.F.R. 1152.60(c)**

**STB Docket No. AB-1041X, *Dakota Northern Railroad, Inc. -- Abandonment Exemption -- in Walsh and Pembina Counties, ND***

**Notice of Petition for Exemption to Abandon Rail Service**

On October 5, 2009, DAKOTA NORTHERN RAILROAD, INC. (DN), filed with the Surface Transportation Board, Washington, DC, a Petition for Exemption from 49 U.S.C. 10903 for abandonment of a portion of its Glasston Subdivision between Milepost No. 42.08 at the north edge of Private Crossing DOT No. 082102T approximately 2.7 miles north of Grafton, and Milepost No. 60.2 at the end of active track approximately 0.6 miles north of Glasston, which traverses through Postal Zip Codes 58237 and 58276, a distance of 18.12 miles in Walsh and Pembina Counties, ND (the rail line). The line for which the abandonment exemption request was filed includes the stations of Auburn, ND (MP 45.9), St. Thomas, ND (MP 53.5) and Glasston, ND (MP 59.6).

The rail line does not contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

The interest of railroad employees would be protected by imposition of conditions to approval of abandonment imposed in *Oregon Short Line R. Co. - Abandonment - Goshen*, 360 I.C.C. 91 (1979).

Any offer of financial assistance will be due no later than 10 days after service of a decision granting the petition for exemption.

All interested persons should be aware that following abandonment of rail service and salvage of the line, the line may be suitable for other public use, including interim trail use.

Any request for a public use condition and any request for trail use/rail banking will be due no later than 20 days after notice of the filing of the petition for exemption is published in the Federal Register.

Persons seeking further information concerning abandonment procedures may contact the Surface Transportation Board or refer to the full abandonment or discontinuance regulations at 49 C.F.R. part 1152. Questions concerning environmental issues may be directed to the Board's Section of Environmental Analysis.

An environmental assessment (EA) (or environmental impact statement (EIS), if necessary) prepared by the Section of Environmental Analysis will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Environmental Analysis. EAs in these abandonment proceedings normally will be made available within 60 days of the filing of the petition. The deadline for submission of comments on the EA will generally be within 30 days of its service.